

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 1, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, December 1, 1971 in the City Hall Council Chambers,

ROLL CALL

Present: Councilmen - KIRSTEN, SCHAFER and KATNICH (Mayor)

Absent: Councilmen - EHRHARDT AND HUGHES

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen, Planning Director Schroeder and Public Works Director Jones.

(See Minutes of 12/15/71)

PLEDGE

Katnich
Mayor ~~Kirsten~~ led the Pledge of Allegiance to the flag.

MINUTES

The Minutes of November 3, 1971 were approved as written and mailed on motion of Councilman Kirsten, Schaffer second, after changing the third paragraph from the bottom of page two to read, "The motion was seconded by Councilman Kirsten and carried by unanimous vote."

On motion of Councilman Schaffer, Kirsten second, the City Council approved the Minutes of November 17, 1971 as written and mailed.

PUBLIC HEARINGS

TRANSFER OF
AMBULANCE
OPERATING
PERMIT

RES. NO. 3574

Notice thereof having been published in accordance with law, Mayor Katnich called for the public hearing on the request for transfer of the Lodi Ambulance Service's Operating Permit from Lloyd, Melvin and Calvin Helwig to Michael N. Nilssen and Dennis Cerruti.

City Manager Graves explained that with the transfer of the ownership of the Lodi Ambulance Service from the Helwigs to Mr. Nilssen and Mr. Cerruti, it was also necessary to approve the transfer of the Operating Permit. He stated, that, in accordance with the City Code, the Helwigs had filed an affidavit with the City stating their intent to surrender and cancel the permit held by them.

There was no one in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

On motion of Councilman Kirsten, Schaffer second, the City Council adopted Resolution No. 3574 issuing an Ambulance Operating Permit for the Lodi Ambulance Service to Michael N. Nilssen

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and Dennis Cerruti and concurrently canceling the Operating Permit previously issued to Lloyd E. Helwig, Melvin Helwig and Calvin Helwig.

Mayor Katnich, as well as Councilman Kirsten and Councilman Schaffer commended the Helwigs for the fine service they have provided the City. They also wished the new owners success in their operation of the Ambulance Service.

STEWART
DATA
CENTER

Mr. Gerard Bette and Mr. Layton Bull of Stewart Data Center, 111 North Church Street, Lodi, who were in the audience, reported to the Council that their company had made great strides in its operations in the past few weeks. They stated that Stewart Data was interested in continuing its computer services to the City and questioned if an agreement had been reached with Diamond Walnut Growers for the City's computer service.

The City Manager explained that the Council had agreed at a previous meeting to transfer the City's computer services to Diamond Walnut Growers, Inc. in Stockton. He said Diamond Walnut Growers had since accepted the offer and an agreement was presently being worked out with them.

Mr. Bette stated, if in the future the City should not desire the services of Diamond Walnut Growers, Stewart Data Center would be pleased to resume its service to the City. The Council assured him if Diamond Walnut Growers should be unable to perform, or if the City should for some reason not desire Diamond Walnut's services, Stewart Data Center would be informed.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of November 22, 1971:

REZONE LOTS
1-14 - GRAFFIGNA
TRACT

The Planning Commission recommended the approval of the request of Mr. and Mrs. George Vaughan for the rezoning from R-1, Single-Family Residential District, to the R-2, Single-Family Residential District of Lots 1 through 14 of Graffigna Tract. On motion of Councilman Kirsten, Schaffer second, the matter was set for public hearing on January 19, 1972.

R-LD DISTRICT

The Planning Commission, after a staff study at the direction of the City Council, recommended amendment of the Zoning Ordinance by adding

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Section 27-6A, R-LD, Low Density, Multiple-Family Residential District and modify the Planning Commission's previous two recommendations by revising the density formula to reflect a development plan that would require that one-half of the total lots be devoted to single-family dwellings rather than one-half of the units. On motion of Councilman Kirsten, Schaffer second, this matter was set for public hearing on December 15, 1971.

P-D DISTRICT

The Planning Commission also recommended the amendment of Section 27-B P-D, Planned Development District, Subsection (f) Area Requirements to read "No Planned Development zone shall be approved for an area of less than ten (10) acres except that an area of two (2) to ten (10) acres may be approved as a Planned Development zone if the following criteria are met:

- (1) The proposed development consists entirely of residential uses.
- (2) The proposed development does not exceed twelve and one-half units (12.5) per acre.
- (3) The parcel proposed for the planned development has certain unique characteristics that make it difficult to develop, or the housing types proposed for the development cannot be erected within the restrictions of other sections of the Zoning Ordinance."

This matter was set for public hearing on December 15, 1971 on motion of Councilman Schaffer, Kirsten second.

SPECIFIC PLANS

The Planning Commission recommended approval of Specific Plans for the following streets:

- a. Pine Street between Cherokee Lane and the proposed north-south street on the Myrtle-Wells alignment.
- b. Lodi Avenue between Cherokee Lane and the proposed north-south street on the Myrtle-Wells alignment.
- c. A new, as yet unnamed, street between the Frontage Road and the proposed north-south street on the Myrtle-Wells alignment.

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- d. Kettleman Lane between the Frontage Road and the Central California Traction Company Main Line.
- e. Harney Lane between Beckman Road and the Central California Traction Company Main Line.

On motion of Councilman Kirsten, Schaffer second, the above Specific Plans were set for public hearing on February 16, 1972.

At the Council meeting of November 17, 1971 it was reported that the Planning Commission had recommended adoption of Specific Plans for (1) a north-south major arterial street along the alignment of Myrtle Street between the future extension of East Turner Road and East Harney Lane; (2) Cluff Avenue between the future extension of East Turner Road and East Lodi Avenue as a Collector Street; and (3) East side Frontage Road as a major arterial street between Victor Road (State Highway 12) and East Harney Lane. Since no action was taken on these matters at the previous meeting, Councilman Kirsten moved the above three Specific Plans be set for public hearing on February 16, 1972. The motion was seconded by Councilman Schaffer and carried.

ACTIONS OF INTEREST

Other actions of interest were as follows:

1. Rejected the Revised Tentative Map of the Aladdin Gardens Subdivision, a 21.8-acre tract encompassing that portion of the R.M. Tindell property that lies south of the future extension of West Elm Street and East of Lower Sacramento Road.
2. Denied the request of Mr. Warren McMillen for a Variance to increase the maximum permitted sign area for a reconstructed drive-in at 410 West Kettleman Lane in an area zoned C-S, Commercial Shopping Center District.
3. Approved the request of Vinewood Community Church for a Variance to increase the maximum permitted sign area from 20-square feet to 27.5-square feet for a church located at 1900 West Vine Street in an area zoned R-1, Single-Family Residential District.

COMMUNICATIONS

BIKE ROUTES

Letters were received from the Lodi High School organization called "Interact," and Jan Holthouse,

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corresponding secretary of the Lodi Ecology Action, commending the Council for recent action taken concerning establishment of bicycle routes in Lodi.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$269,128.20 were approved on motion of Councilman Schaffer, Kirsten second.

SPECS - THREE COMPACT CARS

Specifications for three compact automobiles were approved and advertising for bids authorized on motion of Councilman Schaffer, Kirsten second.

ACCEPT L. SACTO RD. MEDIAN STRIP

On motion of Councilman Schaffer, Kirsten second, the Council accepted the Lower Sacramento Road Median Strip as complete and authorized the Public Works Director to file the Notice of Completion on the project.

AWARD - BRUSH CHIPPER

The City Manager presented bids received for the brush chipper for the Public Works Department as follows:

RES. NO. 3571

Asplundh Equipment Company	\$3,889.00
Western Traction Company	3,997.50
Rix Equipment Company	6,146.50

The City Manager recommended the award for the furnishing of the brush chipper be made to Western Traction Company. He explained that the design of the Wayne Manufacturing brush chipper would enable the City to save more than the difference in the low bids during the first year of operation because the blades on this chipper could be changed by City shop personnel. On motion of Councilman Kirsten, Schaffer second, the Council adopted Resolution No. 3571 awarding the contract for the furnishing of the brush chipper to Western Traction Company for a total of \$3,997.50.

AWARD - ONE- TON DUMP TRUCK

The City Manager presented bids received for the one-ton dump truck as follows:

RES. NO. 3572

Sanborn Chevrolet	\$4,746.83
Peters Pontiac Company	4,329.89

Mr. Graves pointed out that the apparent low bid was not a firm bid in that it was subject to any increases based on the President's Phase II Program. He recommended the award be made to Peters Pontiac since it was a firm bid. After discussion by the Council, Councilman Schaffer moved adoption of Resolution No. 3572

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awarding the contract for the furnishing of a one-ton dump truck to Peters Pontiac for a total of \$4,829.89. The motion was seconded by Councilman Kirsten and carried.

**SURVEY OF
POLICE DEPT.
BY POST**

City Manager Graves reported to the Council on the commencement of a survey by the Commission on Police Officers Standards and Training (POST) of the Lodi Police Department. He said he had signed an agreement with POST for the survey and explained that this is a service made available to local agencies without cost to the City.

**LIGHTING -
LAWRENCE
BASEBALL
PARK**

The City Manager presented the report of the Parks and Recreation Director concerning replacement of the lights at the Lawrence Baseball Park. Copies of this report had been furnished to the Councilmen prior to the meeting. The Council discussed the report and agreed that no action should be taken at this meeting because both Vice Mayor Ehrhardt and Councilman Hughes were not in attendance. Councilman Schaffer moved the discussion of the matter be continued to the next regular meeting. The motion was seconded by Mayor Katnich and carried.

Councilman Kirsten commented that he felt it was beneficial to the community to have had professional baseball in Lodi. He then moved that the City Council go on record as being favorably disposed toward any offer of a major league baseball group bringing a professional team to Lodi. The motion was seconded by Mayor Katnich and carried.

**LIBRARY
FUNDS**

Library funds from the County of San Joaquin were not received on schedule, and the City Manager requested approval of transferring \$5,000 from the General Fund to the Library Fund until such funds become available. On motion of Councilman Kirsten, Schaffer second, the City Council authorized the transfer of \$5,000 from the General Fund to the Library Fund until funds are received from the County.

**UTILITY
BILLING
POLICY**

City Manager Graves reported on the recent meeting with Mr. Robert Engelson of Diamond Walnut Growers, Councilman Hughes, Councilman Kirsten and the City staff concerning the City's utility billing procedure. He said the group felt that any billing method involving averages would not solve the problems that now exist. He said that the bi-monthly billing on alternate months, as recently proposed, was reviewed and it was concluded that a cash flow problem

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would result from this method. He reported the general consensus of the group was that the policy of monthly reading of meters and monthly billing of customers would be the most satisfactory; however, this would require hiring two additional meter readers estimated to cost approximately \$20,000. The City Manager then recommended the Council adopt the policy of monthly meter reading and monthly utility billing and approve two additional meter reader positions. Councilman Kirsten agreed with the City Manager's recommendation and stated that Councilman Hughes had also recommended this. On motion of Councilman Kirsten, Schaffer second, the Council adopted the policy of monthly meter reading and monthly utility billing.

METER
READERS

The Council then, on motion of Councilman Kirsten, Schaffer second, adopted Resolution No. 3573 approving two additional meter reader positions in the Finance Department.

RES. NO. 3573

MEETING
PLACE

Due to the emergency created by the remodeling of the Council Chambers, Mayor Katnich reported he had made arrangements for the City Council and the Planning Commission to meet in the Needham School, Little Theater, Chestnut and Pleasant Avenue. He said arrangements had been made for all Council and Planning Commission meetings to be held there until February 28, 1972, if necessary. On motion of Mayor Katnich, Kirsten second, the above action was approved.

GINKGO
TREES

Councilman Kirsten said since the last Council meeting he had observed the female ginkgo trees in front of the Masonic Temple on Pine Street and he agreed with Councilman Schaffer that these trees were creating a nuisance for the property owner. He then moved that the City Council adopt the policy that any female ginkgo tree within the City right of way which becomes offensive to the property owner may be removed; said trees to be removed by the property owner at his expense. The motion was seconded by Councilman Schaffer and carried.

(See Minutes of 12/15/71)
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NW COR OF
HUTCHINS &
LODI AVE.

City Attorney Mullen reported that the service station at the northwest corner of Hutchins Street and Lodi Avenue was presently being remodeled and, in accordance with City policy, this would be the proper time for the City to acquire additional right of way at that corner. ~~He requested the Council to authorize him to proceed with acquisition of this right of way. On motion of Councilman Schaffer, Katnich~~

(See Minutes of 12/15/71)
bb

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bb

SEE BELOW

ADJOURNMENT

~~second, the Council authorized the City Attorney to proceed with acquisition of said right of way and to negotiate the purchase price of the parcel at a future date.~~

There being no further business, the meeting was adjourned on motion of Councilman Schaffer at 9:25 p.m.

Attest: 
BESSIE L. BENNETT
City Clerk

He He requested the Council to approve the concept of accepting a deed at this time, taking possession of the property now and arriving at a mutually satisfactory price for the property with the owner in the future. If the price cannot be agreed upon, then it would be necessary to file a condemnation suit. On motion of Councilman Schaffer, Katnich second, the Council approved the above recommendation of the City Attorney.